



DISABLED AMERICAN VETERANS

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March 8, 2006

Mr. Jeff Jordan, Supervisory Attorney
Federal Elections Commission
Complaints Examination & Legal Administration
999 E Street NW
Washington, DC 20463

Ref: Case MUR-5707

Dear Mr. Jordan:

This is in response to your letter of February 27, 2006 regarding the above styled case. Our position is that persons who participated in the fund raising activities in question were, in fact, members of D.A.V. Chapter #9 but were acting as individuals on their own. Their participation was not sanctioned, approved, or allowed under D.A.V. National and State Bylaws.

D.A.V. National Bylaws, Article 15, section 15.3, Para1, on page 65 (see copy of Bylaws enclosed) clearly provides that in all fundraising, 30 days notice must be given to the State D.A.V. Department. No such notice was given to this department. In fact, it appears that the fundraising took place in July of 2002,03,04 and 05 but the first notice to State D.A.V. Headquarters was in November 2005 by Herbert G. Lewis, member of Chapter #9, dated November 16, 2005 and our Standard Fund Raising Request Form FR 2-88 which was submitted February 19, 2006 (copies of that note and form are enclosed).

D.A.V. Department of Florida Bylaws, Article X, Section 10.5, Para 1 on page 21 also requires approval of Department Headquarters for fundraising. (A copy of State D.A.V. Bylaws is enclosed).

Upon learning of this unapproved fundraising, D.A.V. State Headquarters took prompt and aggressive action, which resulted in revoking the Charter of Chapter #9, therefore, Chapter #9 no longer exists. (See copy of letter of December 8, 2005, from Arthur H. Wilson attached).

In summary, the D.A.V. National Organization has a well-run fundraising program and we carefully avoid any fundraising that is illegal or that even gives the perception that it is not in accordance with all governing rules, laws, or regulations. D.A.V. National Bylaws, Article 2, Section 2.1, on page 5, provides that D.A.V. is a non-partisan, non-

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political organization and as such we understand that fundraising for a political party would jeopardize our status.

We have no knowledge of where the funds collected by this unapproved activity went. We could find no clear evidence that the funds were deposited in Chapter #9 accounts. This activity was conducted by individuals operating outside D.A.V. directions, unapproved by D.A.V. and without knowledge of the State and National D.A.V. Headquarters.

We welcome participation in any investigation by your agency and will cooperate fully. Please contact Carlos Rainwater, State Inspector at Department Headquarters (352) 331-0945 if you have any questions or if we can assist the investigation in any way.

Very truly yours,



David Stone
State Commander

DS/jmc

Cc: Commanders file
Chapter #13 file
Robert Gushee, Nat'l Inspector
Reader's file

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